

FAYETTEVILLE CITY COUNCIL
WORK SESSION MINUTES
LAFAYETTE Room
September 7, 2010
5:00 P.M.

Present: Mayor Anthony G. Chavonne

Council Members Keith Bates, Sr. (District 1); Kady-Ann Davy (District 2); Robert A. Massey, Jr. (District 3); Darrell J. Haire (District 4); Bobby Hurst (District 5); Valencia A. Applewhite (District 7); Theodore W. Mohn (District 8) (arrived at 5:15 p.m.); Wesley A. Meredith (District 9)

Absent: Council Member William J. L. Crisp (District 6)

Others Present:

Dale E. Iman, City Manager
Doug Hewett, Assistant City Manager
Kristoff Bauer, Assistant City Manager
Karen M. McDonald, City Attorney
Ron Anderson, Chief Development Officer
Glenn Harbeck, Glenn Harbeck & Associates
Victor Sharpe, Community Development Director
Jami McLaughlin, Downtown Development Manager
Jerry Dietzen, Environmental Services Director
Tom Bergamine, Police Chief
Douglas S. Peters, FCCCC President
Rita Perry, City Clerk
Members of the Press

1.0 CALL TO ORDER

Mayor Chavonne called the meeting to order.

2.0 INVOCATION

The invocation was offered by Mayor Pro Tem Haire.

3.0 APPROVAL OF AGENDA

MOTION: Council Member Meredith moved to approve the agenda.

SECOND: council Member Bates

VOTE: UNANIMOUS (8-0)

4.0 OTHER ITEMS OF BUSINESS

4.1 Hospital Area Preliminary Plan Presentation

Mr. Rob Anderson, Chief Development Officer, introduced Glen Harbeck of Glenn Harbeck & Associates. Mr. Harbeck reviewed the proposed area. He provided a synopsis of the July 8, 2010, community input meeting; July 20, 2010, open house and discussion; and July 20 and August 3, 2010, preliminary planning response. Mr. Harbeck summarized the following 11 planning principles:

- Principle 1 - No takings or forced sale of property.
- Principle 2 - Deal with traffic issues.
- Principle 3 - Resolve land use and zoning conflicts.
- Principle 4 - Improve pedestrian safety.
- Principle 5 - Clean up crime and neglected properties.
- Principle 6 - Consider impacts of hospital's plans.
- Principle 7 - Protect property values.
- Principle 8 - Promote quality development and image.
- Principle 9 - Communicate during and after the plan.
- Principle 10 - Use buildings and required buffers to reduce noise.
- Principle 11 - Preserve area neighborhoods.

Mr. Harbeck provided analysis and recommendations for the following sub-areas:

- Area 1 - Owen Drive, east side, from Player to Village

- Area 2 - Village Drive, from Conover west to Roxie
- Area 3 - Boone Trail, west of Owen, near Bordeaux Shopping Center
- Area 4 - Roxie Avenue and side streets, Cape Center to Thomas Drive
- Area 5 - Bordeaux Shopping Center
- Area 6 - Area north of the main hospital campus
- Area 7 - Boone Trail Extension/Village Drive area
- Area 8 - Main hospital campus area

Mr. Harbeck explained the purposes of the Hospital Area Overlay and Design Standards. He reviewed site plans which illustrated the proposed design standards. Mr. Harbeck provided an overview of proposed recommendations to manage transportation and traffic. He stated the following items were forthcoming:

1. Post the updated presentation to City website.
2. Invite additional comments.
3. Incorporate design standards into an overlay district.
4. Post overlay district to City website.
5. Present final plan and overlay to Council in public hearing.
6. Upon adoption, begin implementation.

A question and answer period ensued regarding zoning districts, distance requirements in relation to land use and redevelopment, and projected public hearing timeline.

Consensus of Council was to move forward and to hold a special meeting for the public.

4.2 Downtown Development Update (Informational/Update Purposes Only)

Ms. Jami McLaughlin, Downtown Development Manager, presented this item and provided a summary of new downtown businesses, downtown events, projects, streetscape and infrastructure improvements, and new developments. She provided a review of Strategic Plan objective Goal 6.

A question and answer period ensued regarding redevelopment projects, regional compactors and its requirements, BigBelly Solar Compactor (solar energy self-powered compacting trash receptacle), projected timeline regarding the completion of Strategic Plan objective Goal 6, Municipal Service District (MSD) funds, and the authorization of flag placements.

Council Member Mohn requested an update regarding the MSD. Mr. Dale Iman, City Manager, stated the update would be included in the financial report at the September 13, 2010, City Council meeting.

Council Member Meredith inquired on the authorization and approval process to place flags at the Airborne and Special Operations Museum. Mr. Iman responded it was approved in the budget and the flags were considered signage.

4.3 Sustainability Master Plan Annual Report (Informational/Update Purposes Only)

Mr. Jerry Dietzen, Environmental Services Director, presented this item and provided the following 7 guiding principles of the Sustainability Master Plan:

Promote national energy independence and reduce carbon emissions

- Produce economic benefits
- Promote regional cooperation
- Preserve neighborhoods and affordability
- Develop healthier communities and social equity
- Lead by example
- Ensure accountability

Mr. Dietzen explained the following four major goals of the plan:

- Goal 1 - Environmental and Natural Resources
- Goal 2 - Planning
- Goal 3 - Community
- Goal 4 - City Agencies

Mr. Dietzen stated the following items would be addressed in the upcoming year:

- Multifamily recycling

- Considering City membership to climate communities and/or ICLEA
- EECEBG building retrofit projects
- Energy audits and energy plans
- New air quality standard from EPA
- Wood waste to bio diesel plant
- Considering switch to bio diesel fuel

Discussion ensued regarding delayed pick up due to holidays and partnerships.

Consensus of Council was to be provided a yearly update.

4.4 Community Wellness Plan Update (Informational/Update Purposes Only)

Mr. Tom Bergamine, Police Chief, presented this item. He reviewed the following guiding principles of the Community Wellness Plan:

- Intelligence Led Policing
- Operational Efficiency
- Community Partnerships
- Crime Prevention and outlined the contents of each principle

A question and answer period ensued.

4.5 Local Business Support

Ms. Karen McDonald, City Attorney, presented this item and clarified that Executive Order 50 applied only to state contracts and created no local preference. She stated there were basically three groups of contracts, those that were subject to competitive bidding, qualification-based selection process, and all others. She informed Council that the proposed policy established that City and PWC staff would, to the extent allowed by applicable law, use its best efforts to solicit and consider awarding contracts to qualified local contractors. She explained the following proposed procedures:

- Qualification-based selection process which may from time to time exempt certain contracts where the professional fee was less than \$30,000.00 from the requirements of N.C.G.S. § 143-64.31 by adoption of a resolution pursuant to N.C.G.S. § 143-64.32.
- Award after considering any and all relevant factors in including, but not limited to, location of the firm, cost, qualifications, quality, value, transparency, efficiency, fairness, and available competition.
- Limitations would be federal, state, or local law or rules, ethics rules, conflict of interest principles, or terms of grant funding.

Discussion ensued regarding bid requirements, the use of qualification lists, minority participation, and bid amounts of local businesses.

Mr. Douglas Peters, FCCCC President, stated research indicated the status of local businesses was good, however, bonding capacity was an issue. Ms. McDonald added that bonding requirements related to the competitive bidding requirements.

In response to inquiries regarding bid notifications to local businesses and minority organizations, Ms. McDonald suggested a contracting workshop.

Mayor Chavonne requested organizations be contacted to verify receipt of bid notifications.

Further discussion ensued relating to bidding laws and competitive bidding.

Consensus of Council was for staff to continue researching proposed modifications of the policy.

4.6 Discussion of proposed amendments to Policy #125.1 "Drainage Revolving Loan Fund".

Mr. Dale Iman, City Manager, stated one of the proposed incentives for the Embassy Suites Hotel and Conference Center project was to provide a \$500,000.00 revolving loan to be used to address wetland mitigation at the site, by which staff recommended utilizing the existing "Drainage Revolving Loan Fund". Mr. Iman explained the existing policy restricted the use of the "Drainage Revolving Loan Fund" to loans for the improvement of public lakes. He stated the proposed revised City Council Policy No. 125.1 would expand the eligibility criteria of the "Drainage Revolving Loan Fund" to permit the fund to be used for wetland mitigation projects in

addition to the repair of privately-owned dams supporting City streets. Mr. Iman stated the public hearing would be held on September 13, 2010.

Ms. McDonald explained the Municipal Service District (MSD) tax was similar to the downtown tax and the special assessment was a lien against the property. She stated the City would be on the level of tax creditors.

Consensus of Council was to bring this item back for action at the September 13, 2010, City Council meeting.

4.7 Council Member Request(s): (In order of receipt date)

(a) Council Member Applewhite - Youth Protection Ordinance Zoned Areas

Council Member Applewhite requested Council to consider an ordinance that would address establishing a curfew for minors with the intent of protecting them from violent acts and reducing their criminal activity in our community and provisions that would limit loitering for the purpose of engaging in related drug activity. She stated it must be a collaborative effort--parental involvement, community, school systems, social services, businesses, non-profits and law enforcement.

Discussion ensued regarding parent involvement, different curfews for youth in and out of school, repeat offenders, and enforcement.

Consensus of Council was for Chief Bergamine to provide an update (November 2010).

5.0 ADJOURNMENT

There being no further business, the meeting adjourned at 8:27 p.m.